

Appl. No. 09/895,027
Atty. Docket No. 8610
Amdt. dated August 14, 2003
Reply to Office Action of June 10, 2003
Customer No. 27752

REMARKS

Claims 1-13 are pending in the application and stand rejected. Claims 1-13 have been rejected under 35 U.S.C. § 103. Following entry of this amendment, Claims 1-9, and newly presented claim 14 are pending in the application. No fee is due.

Rejection Under 35 USC 103(a) Over U.S. Patent 6,101,486 (Roberts et al)

Claims 1-13 have been rejected under 35 USC 103(a) as being unpatentable over Roberts et al. (U.S. Patent 6,101,486). Claim 1 has been amended to incorporate the features of previously pending Claim 10, and to clarify the meaning of the term "customer" as defined in the instant specification.

The Final Office Action cites column 6 lines 44+ as disclosing provision of sales projection information. A closer inspection of the Roberts et al. patent reveals that this is not the case. Roberts et al. discloses the provision of sales history information to end consumers. Such sales history information might also contain information regarding products and services which have not yet been purchased by the consumer. The method of Claim 1, however, is different. Claim 1 requires that the customer be a purchaser of goods for subsequent re-sale to consumers. The claimed sales projection information which is provided is information relating to projected sales to consumers of the goods, and not history of the customer's sales. Such a method is nowhere described or suggested in the Roberts et al. patent.

Therefore, because the method of amended Claim 1 is not taught or suggested by the Roberts et al. patent, the rejection of Claim 1 under 35 U.S.C. § 103 should be withdrawn. Claims 2-9 depend from amended Claim 1 and are patentable over the Roberts et al. patent for the same reasons given above with respect to amended Claim 1. Claims 10-13 have been canceled by this amendment, therefore the rejection of claims 10-13 are rendered moot by this amendment.

Claim 14 is newly presented and depends from Claim 1. As such it is patentable over Roberts et al. Additionally, none of the art of record discloses the features of customizing sales projection information on the basis of planned promotional activity as recited in the claim.

For all of the reasons given above, the Examiner is respectfully requested to withdraw all of the outstanding rejections as overcome.

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Conclusion

All of the relevant rejections and objections in the Office Action have been addressed.

No new matter has been added by this amendment.

In light of the discussions contained herein, Applicants respectfully request reconsideration of the rejections and their withdrawal and that all of the claims be allowed.

Issuance of a notice of allowance at an early date is respectfully requested.

Respectfully submitted,

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September 11, 2003
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